

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**JENNY CONNELL SMITH,**

**Plaintiff/Appellant,**

**v.**

**HAYNES & HAYNES, P.C.,  
ALICIA K. HAYNES, and  
KENNETH D. HAYNES,**

**Defendants/Appellees.**

**CASE NO.**

**2:14-CV-01334-RDP**

---

**NOTICE OF APPEAL**

---

Pursuant to Fed. R. App. P. 3 and 4, Plaintiff/Appellant Jenny Connell Smith files this Notice of Appeal and states:

1. Plaintiff/Appellant Jenny Connell Smith is the party taking the appeal;
2. The Order and Judgment being appealed are:
  - a. The district court's July 10, 2015 Order (Doc. 40) Granting Defendants' Motion for Summary Judgment as to Plaintiff's FLSA claim for unpaid overtime pay, and breach of contract claim, and the Memorandum Opinion (Doc. 39) accompanying the Order; and

b. The district court's August 22, 2017 Order (Doc. 128) Granting Defendants' Motion for Summary Judgment as to Plaintiff's FLSA retaliation claim, and the Memorandum Opinion (Doc. 127) accompanying the Order.

3. This Appeal is taken to the Eleventh Circuit Court of Appeals.

Respectfully submitted this 13<sup>th</sup> day of September, 2017.

s/Barry V. Frederick

Barry V. Frederick (FRE017)  
Attorney for Plaintiff/Appellant

**OF COUNSEL:**

**THE FREDERICK FIRM**  
5409 Trace Ridge Lane  
Birmingham, Alabama 35244  
(205) 739-0043 phone  
(205) 739-0044 fax  
[Barry@frederickfirm.net](mailto:Barry@frederickfirm.net)  
[www.frederickfirm.net](http://www.frederickfirm.net)

## CERTIFICATE OF SERVICE

I hereby certify a true and correct copy of the above and foregoing has been served on counsel for defendants identified below by filing the same with the Court's ECF electronic filing system on this 13<sup>th</sup> day of September, 2017.

John D. Saxon  
[jsaxon@saxonattorneys.com](mailto:jsaxon@saxonattorneys.com)  
2119 3rd Avenue North  
Birmingham, Alabama 35203-3314

Heather Leonard  
Heather Leonard PC  
2105 Devereux Circle, Suite 111  
Birmingham, AL 35243

Charles E. Guerrier  
Haynes & Haynes, P.C.  
1600 Woodmere Drive  
Birmingham, AL 35226

s/*Barry V. Frederick*  
\_\_\_\_\_  
Of Counsel